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amnesty international

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20 July 1983

His Excellency President Suharto
Istana Negara
Jalan Veteran
JAKARTA
Indonesia

FOR INFORMATION ONLY

Your Excellency,

I am writing to you with regard to evidence recently received by Amnesty International indicating that the use of torture by Indonesian forces in East Timor has been officially condoned. I urge Your Excellency most strongly to look into this evidence without delay and to take appropriate corrective action.

Amnesty International has recently received a copy of a set of materials which appear to be manuals and guidelines issued in 1982 to Indonesian military personnel in the Military District (KODIM) of Baucau. Amnesty International has no reason to doubt that the document is genuine.

Of particular concern to Amnesty International are the guidelines on interrogation contained in the manual on Established Procedures on Methods of Interrogating Captives (Prosedur Tetap Tentang Cara Interogasi Tawanan, PROTAP/01-B/VII/1982). On page 5 of this manual on interrogation a section entitled "Things to be Avoided" (Hal-Hal Yang Harus Dihindari) contains a sub-section (V.13) on the "Use of Force and Threats" (Penggunaan Kekerasan Dan Ancaman). While the use of force and threats is described in the introductory sub-section (V.11) as something to be generally avoided during interrogation, sub-section V.13 appears to condone the use of force, including torture in particular situations. It reads:

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Amnesty International works impartially for the release of prisoners of conscience, men and women detained anywhere for their beliefs, colour, ethnic origin, language or religion, provided they have neither used nor advocated violence. Amnesty International opposes torture and the death penalty in all circumstances. It seeks fair and prompt trials for all political prisoners. Amnesty International is independent of any government, political faction or ideology, economic interest or religious creed. It is financed by its membership and by subscriptions from all parts of the world. It has consultative status with the United Nations (ECOSOC), UNESCO and the Council of Europe, has cooperative relations with the African Commission on Human Rights, the Inter-American Commission on Human Rights of the Organization of American States and is a member of the Coordinating Committee for Human Rights in the Organization of American States.

"The Use of Force and Threats

It is hoped that interrogation with the use of force will not be implemented except in those situations where the person examined tells the truth with difficulty (is evasive).

However, if use of force is required there should not be a member of the local population (guides, members of the civil militia, ordinary people) present to witness it so that the antipathy of the people is not aroused.

The use of force often has the consequence that the person being interrogated under duress confesses falsely because he is afraid and, as a consequence, agrees to everything the interrogator wishes.

Avoid taking photographs showing torture (taken of someone being given electric shocks, being stripped naked and so on).

Remember that such documentation/photographs should not be printed freely outside/in Denpasar and obtained by irresponsible members of society."

(The Indonesian text reads:

"Pemeriksaan dengan penggunaan kekerasan diharapkan tidak dilaksanakan kecuali dalam keadaan tertentu damana yang diperiksa sulit mengatakan yang benar (berbelit-belit).

Kalaupun terpaksa menggunakan kekerasan jangan ada seorang Rakyatpun (TBO, Hansip, Ratih, Rakyat) yang melihatnya agar tidak timbul antipati Rakyat.

Penggunaan kekerasan sering berakibat yang diperiksa terpaksa mengaku bersalah karena ketakutan selanjutnya akan mengikuti semua keinginan interogator.

Hindari pembuatan foto yang menggambarkan penyiksaan (difoto(?) waktu di strom, ditelanjangi dsb).

Ingat bukan dokumentasi/foto tsb dicetak bebas di luar/Denpasar dan dapat di masyarakat oleh oknum yang tidak bertanggung jawab.")

Amnesty International has communicated to the Indonesian Government on a number of occasions in recent years its concern at repeated reports of serious human rights violations committed by Indonesian forces in the territory of East Timor. These included reports that suspected Fretilin supporters had been tortured during interrogation after capture or surrender and that some had been killed while in custody of Indonesian personnel. In the light of the passage quoted above, it would now appear

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that, at the very least under some circumstances, violations of this nature are condoned. Amnesty International respectfully reminds you that all governments are bound by international human rights standards prohibiting torture in all circumstances. Rather than complying with these standards, these military instructions, while describing the use of force and threats during interrogation as something generally to be avoided, explicity allow for the possibility of torture and provide guidelines to prevent its exposure.

Amnesty International takes no position on the rights and wrongs of armed conflicts. In the particular case of East Timor, the organization does not take a position on the status of that territory. Amnesty International's sole concern relates strictly to the protection of human rights. The organization believes that the torture and killing of detainees by anyone, including all parties to any armed conflict, can never be accepted.

In view of the extensive reports received by Amnesty International of the killing of suspected Fretilin supporters during or after interrogation by Indonesian personnel, Amnesty International is concerned that these reported killings may also be in implementation of guidelines officially condoning such action. Indeed, some parts of the document do appear to be open to the interpretation that threats on the lives of people undergoing interrogation after capture or surrender are condoned.

Thus, in sub-section 3.c. of the Technical Manual on Methods for Babinsa/Team Pembina Desa to Break Up the GPK Support Network (Petunjuk Teknis Tentang Cara Babinsa/Team Pembina Desa Dalam Membongkar Jaring Pendukung GPK), there is a guideline which states:

> "Point out that their friends are still alive because they have given honest confessions and have been prepared to help the armed forces in the immediate restoration of security."

> (The Indonesian text reads:

> "Tunjukkan bahwa rekan-rekannya masih hidup karena memberikan pengakuan yang jujur serta bersedia membantu ABRI/TNI untuk segera memulihkan keamanan.")

These statements appear to condone the making of death threats during interrogation.

In April 1980, Amnesty International wrote to you expressing its concern about reports of serious human rights violations in East Timor including consistent reports from a variety of sources that a number of people who had surrendered to or been captured by Indonesian forces had

subsequently "disappeared" without trace and might have been executed. Since then, Amnesty International has received strong evidence tending to confirm that these people were in fact executed. Amnesty International also received evidence indicating that the number of victims of such policies is much larger than had originally been thought and that such practices may not have been discontinued.

In its letter of April 1980, Amnesty International drew your attention to the fact that many of those reported to have "disappeared" had surrendered under the terms of an amnesty guaranteeing the safety offered by you personally in your Independence Day Speech of August 1977. Among other things, Amnesty International urged you on that occasion to instruct Indonesian forces to ensure the safety of suspected Fretilin supporters in compliance with the amnesty you had offered. The evidence of the documents quoted above suggests it is in fact not official policy to honour the guarantees previously offered to supporters of Fretilin. Amnesty International urges you most strongly to take urgent steps to reassure international opinion that this is not the case by issuing immediate instructions to all forces under your command prohibiting the torture of prisoners under all circumstances.

Yours respectfully and sincerely,

José Zalaquett
Acting Secretary General